

**IN THE UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF ARKANSAS  
JONESBORO DIVISION**

**GLAND ELLIOT**

**PLAINTIFF**

**v.**

**No. 3:13-cv-251-DPM**

**CITY OF OSCEOLA, ARKANSAS  
and CHRISTOPHER ELLIS**

**DEFENDANTS**

**ORDER**

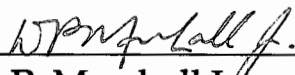
1. The Court must screen Elliott's amended complaint as supplemented. 28 U.S.C. § 1915A. Elliott alleges that defendants violated his constitutional rights in connection with two state criminal cases. *No. 2 at 4-5 & No. 12 at 1-3*. He seeks damages and dismissal of the charges. *No. 2 at 6*. Elliott's filings show that the first set of charges were nolle prossed, *No. 2 at 18-20*, and he pleaded guilty to one of the later charged crimes. *No. 13 at 18-20*. Because Elliott pleaded guilty to at least one of the crimes relating to his August 2013 arrest, he cannot claim that arrest was unlawful. Elliott may, however, proceed against Ellis on his claims relating to his February 2013 arrest.

2. Elliot has not pleaded any facts suggesting the City of Osceola had a policy, practice, or custom in place that directly caused a violation of his

constitutional rights. *Gatlin ex rel. Estate of Gatlin v. Green*, 362 F.3d 1089, 1094 (8th Cir. 2004). The Court therefore dismisses Elliot's claims against the City of Osceola with prejudice.

3. The Court directs the Clerk to prepare a summons for Christopher Ellis. The Court directs the United States Marshal to serve copies of the complaint, amended complaint, and the addendum, *Nº* 2, 12, & 13, and a summons, on Ellis without requiring prepayment of fees and costs or security. Service for Ellis should be through the Mississippi County Sheriff's Office, 685 North Country Road 599, Luxora, Arkansas 72358.

So Ordered.

  
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D.P. Marshall Jr.  
United States District Judge

  
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13 June 2014